

10/501698

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Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

on Jan. 31, 2005
Date of Deposit

Richard G. Lione, Reg. No. 19,795

Name of applicant, assignee or
Registered Representative

Richard G. Lione
Signature

1-31-05
Date of Signature

Our Case No. 5404/81

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:

Yasuyoshi Ueda et al.

Serial No.: 10/501,698

Filing Date: July 16, 2004

For METHOD FOR STABILIZING
REDUCED COENZYME Q₁₀ AND
COMPOSITION THEREFOR

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) Examiner: Not Assigned
)
) Group Art Unit No.: Not Assigned
)
)

PETITION TO CORRECT INVENTOR'S
NAME UNDER 37 C.F.R. § 1.182

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Dear Sir:

Applicant, Tadao Ono, hereby petitions the Commissioner of Patents under 37 C.F.R. § 1.182 to change the spelling of his name from Naoki Ono to Tadao Ono in the PCT application from which the subject application was nationalized. As attested to in

the attached statements of this inventor and a person having first-hand knowledge of the error and how it occurred:

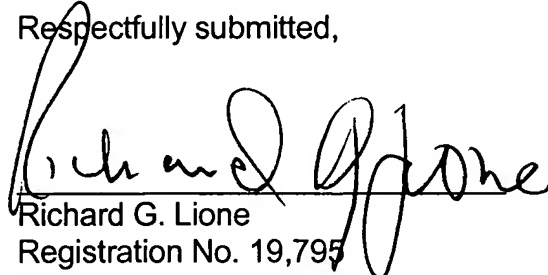
1. Tadao Ono is, in fact, a co-inventor of the invention in METHOD FOR STABILIZING REDUCED COENZYME Q₁₀ AND COMPOSITION THEREFOR disclosed in application PCT/JP03/00394 filed in Japan on January 20, 2003;
2. Tadao Ono's first name was correctly recited in Japanese characters in the aforementioned PCT application when it was filed but was incorrectly translated into English whereby the English spelling of his name is incorrect in the PCT application;
3. the incorrect spelling occurred without Tadao Ono's knowledge, inadvertently and without any deceptive intent on his part;
4. Yasuo Yasutomi's statement explains that he has first-hand knowledge of the error, how it occurred and when he discovered it, because he was responsible for filing the PCT application, and that the incorrect spelling occurred inadvertently and without any deceptive intent on his part;
5. On September 14, 2004, Tadao Ono executed a Declaration in the subject application, which Declaration was prepared under Mr. Yasutomi's direction and sets out Mr. Ono's correct name, a copy of which Declaration is attached hereto.

Whereby, the facts being as hereinbefore set out, it is respectfully submitted that this Petition should be granted, that the record in the subject application should be

corrected to identify the third listed inventor in the aforementioned PCT application as Tadao Ono.

Please charge the petition fee required by 37 C.F.R. § 1.17(h) to Deposit Account No. 23-1925. A duplicate copy of this petition is attached.

Respectfully submitted,



Richard G. Lione
Registration No. 19,795
Attorney for Applicants

Attachments:

Statements of Tadao Ono
and Yasuo Yasutomi

BRINKS HOFER GILSON & LIONE
P.O. BOX 10395
CHICAGO, ILLINOIS 60610
(312) 321-4200

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) Examiner: Not Assigned

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) Group Art Unit No.: Not Assigned
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**STATEMENT OF TADAO ONO
IN SUPPORT OF PETITION TO
CORRECT INVENTOR'S NAME**

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Dear Sir:

Tadao Ono hereby states that:

1. on January 18, 2002, Japanese patent application 2002/9737 was filed in Japan correctly naming him in Japanese characters as a co-inventor; and

2. on January 20, 2003, PCT application No. PCT/JP03/00394 was filed in the Japanese Patent Office, claiming priority from Japanese Application No. 2002/9737 and correctly identifying him as TADAO ONO in Japanese characters but erroneously translating his name in English as NAOKI ONO; and

3. because the PCT application was prepared and filed by patent counsel for Kaneka Corporation, the assignee of the applications, he did not see the PCT request before it was filed; and

4. he first learned of the error when advised of it by patent counsel on or about September 1, 2004; and

5. the error in the English translation of his name in the PCT application occurred inadvertently and without any intent to deceive on his part.

The foregoing statements are true to the best of his knowledge.

Date: JAN. 17. 2005

Tadao Ono
TADAO ONO

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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:

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COMPOSITION THEREFOR

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)
) Examiner: Not Assigned
)
) Group Art Unit No.: Not Assigned
)
)

**STATEMENT OF YASUO YASUTOMI
IN SUPPORT OF PETITION TO
CORRECT INVENTOR'S NAME**

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Dear Sir:

Yasuo Yasutomi hereby states that:

1. he is patent counsel to Kaneka Corporation, assignee of the above-identified application; and

2. Japanese Patent Application No. 2002/9737 was prepared and filed in Japan and correctly identified TADAO ONO in Japanese characters as a co-inventor; and

3. PCT Application No. PCT/JP03/00394 claiming priority from Japanese Patent Application No. 2002/9737 was prepared and filed in the Japanese Patent Office under his direction, and it also correctly identified TADAO ONO in Japanese characters as a co-inventor; and

4. when the request for the PCT application was prepared under his direction, the Japanese characters for TADAO in the request were incorrectly translated (in a parenthetical expression of his name) to NAOKI, and he did not notice the incorrect English spelling at the time; and

5. a Declaration for the above-identified U.S. application was prepared for transmission to U.S. associate counsel under his direction in September 2004, and at that time he discovered that the English spelling of TADAO ONO'S first name was incorrect in the published PCT application; and

6. the inventor's Declaration for the U.S. application was then prepared under his direction with the correct spelling of all names, and TADAO ONO executed that Declaration on September 14, 2004; and

7. he informed his associate U.S. counsel of the error at the time and instructed him to petition the USPTO for correction in a timely fashion; and

8. the error in the English translation of TADAO ONO'S name on the PCT Application occurred inadvertently and without any intent to deceive on his part.

The foregoing statements are true to the best of his knowledge.

Date: JAN. 17. 2005


YASUO YASUTOMI

Case No. 5404/81

DECLARATION FOR PATENT APPLICATION

As a below named inventor, I hereby declare that:

My residence, post office address and citizenship are as stated below next to my name.

I believe I am the original, first and sole inventor (if only one name is listed below) or an original, first and joint inventor (if plural names are listed below) of the subject matter which is claimed and for which a patent is sought on the invention entitled METHOD FOR STABILIZING REDUCED COENZYME Q₁₀ AND COMPOSITION THEREFOR, the specification of which:

- ☐ is attached hereto.
☐ was filed on _____ as Application Serial No. _____.
☒ was filed on January 20, 2003 as PCT International Application No. PCT/JP03/00394.
☐ and was amended on _____ (if applicable).

I hereby state that I have reviewed and understand the contents of the above-identified specification, including the claims, as amended by any amendment referred to above.

I acknowledge the duty to disclose information which is material to the patentability as defined in Title 37, Code of Federal Regulations, § 1.56(a).

I hereby claim foreign priority benefits under 35 U.S.C. § 119(a)-(d) or § 365(b) of any foreign application(s) for patent or inventor's certificate or § 365(a) of any PCT International application which designated at least one country other than the United States, listed below and have also identified below, by checking the box, any foreign application for patent or inventor's certificate, or PCT International application having a filing date before that of the application on which priority is claimed:

<u>Prior Foreign Application(s)</u>			<u>Priority Claimed</u>	
<u>2002-9737</u>	<u>Japan</u>	<u>18/01/2002</u>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
(Number)	(Country)	(Day/Month/Year Filed)	Yes	No
<u>2002-296802</u>	<u>Japan</u>	<u>09/10/2002</u>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
(Number)	(Country)	(Day/Month/Year Filed)	Yes	No

I hereby claim the benefit under 35 U.S.C. § 119(e) of any United States provisional application(s) listed below:

<u>(Application Serial No.)</u>	<u>(Filing Date)</u>	<u>(Status-patented, pending, abandoned)</u>
<p>I hereby claim the benefit under 35 U.S.C. § 120 of any United States application(s), or § 365(c) of any PCT International application designating the United States, listed below and, insofar as the subject matter of each of the claims of this application is not disclosed in the prior United States or PCT International application in the manner provided by the first paragraph of 35 U.S.C. § 112, I acknowledge the duty to disclose information which is material to patentability as defined in 37 CFR § 1.56 which became available between the filing date of the prior application and the national or PCT International filing date of this application:</p>		
<u>(Application Serial No.)</u>	<u>(Filing Date)</u>	<u>(Status-patented, pending, abandoned)</u>

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

Inventor's Signature Yasuyoshi Ueda Date: SEP. 14, 2004
Full name of sole or first inventor Yasuyoshi Ueda
Residence Hyogo, Japan
Citizenship Japan
Post Office Address 140-15, Waku, Aboshi-ku, Himeji-shi, Hyogo 671-1227 Japan

BRINKS HOFER GILSON & LIONE
P.O. Box 10395
Chicago, IL 60610
(312) 321-4200

Case No. 5404/81

Inventor's Signature
Full name of second joint inventor, if any
Residence
Citizenship
Post Office Address

Takahiro Ueda Date: SEP. 14. 2004
Takahiro Ueda
Hyogo, Japan
Japan
31-17-2018, Shioyacho 6-chome, Tarumi-ku, Kobe-shi, Hyogo 655-0872 Japan

Inventor's Signature
Full name of third joint inventor
Residence
Citizenship
Post Office Address

Tadao Ono Date: SEP. 14. 2004
Tadao Ono
Hyogo, Japan
Japan
31-17-2113, Shioyacho 6-chome, Tarumi-ku, Kobe-shi, Hyogo 655-0872 Japan

Inventor's Signature
Full name of fourth joint inventor
Residence
Citizenship
Post Office Address

Shiro Kitamura Date: SEP. 14. 2004
Shiro Kitamura
Hyogo, Japan
Japan
10-36-601, Aioicho 1-chome, Akashi-shi, Hyogo 673-0882 Japan

Inventor's Signature
Full name of fifth joint inventor
Residence
Citizenship
Post Office Address

Kenji Fuji Date: SEP. 14. 2004
Kenji Fuji
Hyogo, Japan
Japan
5-11, Hanayamanakaodai 2-chome, Kita-ku, Kobe-shi, Hyogo 651-1202

Inventor's Signature
Full name of sixth joint inventor
Residence
Citizenship
Post Office Address

Kazunori Hosoe Date: SEP. 14. 2004
Kazunori Hosoe
Hyogo, Japan
Japan
8-17, Nishihata 3-chome, Takasago-shi, Hyogo 676-0025 Japan

Inventor's Signature
Full name of seventh joint inventor
Residence
Citizenship
Post Office Address

____ Date: _____

